

Kyl	Roberts	Stevens
Lott	Santorum	Thomas
McConnell	Sessions	Thurmond
Murkowski	Shelby	Voinovich
Nelson (NE)	Smith (NH)	
Nickles	Smith (OR)	

The bill (H.R. 2356) was passed.

Mr. REID. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. Expressions of approval or disapproval are not permitted in the gallery.

TO CLARIFY ACCEPTANCE OF PRO BONO LEGAL SERVICES

The PRESIDING OFFICER. Under the previous order, the Senate will consider a resolution.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 227) to clarify the rules regarding the acceptance of pro bono legal services by Senators.

Mr. MCCONNELL. Mr. President, this Senate resolution S. Res. 227 is very similar to a Senate resolution passed by this body in 1996. That 1996 resolution—S. Res. 321—was passed to ensure that Senators who wanted to challenge the constitutionality of the Line Item Veto Act could do so using unlimited pro bono legal services, subject to regulations promulgated by the Ethics Committee.

It is clear that the campaign finance bill that passed today—H.R. 2356—will be challenged in court if the President signs it into law. The Senate resolution which passed today makes it clear that any Member of this body may receive pro bono legal services in connection with any action challenging the constitutionality of that law.

This body is in agreement on this issue. There is no need for debate or a vote. This new Senate resolution ensures that the Senate will continue its tradition of permitting Members to utilize unlimited pro bono legal services when challenging legislation that raises serious constitutional questions.

The PRESIDING OFFICER. Under the previous order, the resolution is agreed to and the motion to reconsider is laid upon the table.

The resolution (S. Res. 227) was agreed to, as follows:

S. RES. 227

Resolved, That (a) notwithstanding the provisions of the Standing Rules of the Senate or Senate Resolution 508, adopted by the Senate on September 4, 1980, or Senate Resolution 321, adopted by the Senate on October 3, 1996, pro bono legal services provided to a Member of the Senate with respect to any civil action challenging the constitutionality of a Federal statute that expressly authorizes a Member either to file an action or to intervene in an action—

(1) shall not be deemed a gift to the Member;

(2) shall not be deemed to be a contribution to the office account of the Member;

(3) shall not require the establishment of a legal expense trust fund; and

(4) shall be governed by the Select Committee on Ethics Regulations Regarding Disclosure of Pro Bono Legal Services, adopted February 13, 1997, or any revision thereto.

(b) This resolution shall supersede Senate Resolution 321, adopted by the Senate on October 3, 1996.

Ms. LANDRIEU. Mr. President, I begin by adding my compliments to Senators FEINGOLD and MCCAIN for their extraordinary efforts in passing and helping to usher through a far-reaching piece of legislation that will hopefully close the loopholes and help Members conduct campaigns that truly meet the spirit and intent of the reform laws we have passed over the course of the last couple of years. We need to have the kind of campaigns of which we can all be proud, ones that allow people in this Nation to express their views, yet have campaigns and financing and funding that are fully and completely disclosed. I thank them and acknowledge their work.

Mr. WARNER. Madam President, today I rise to address issues related to my vote on H.R. 2356, the Bipartisan Campaign Finance Reform Bill.

For some time President Bush has clearly indicated his willingness to sign campaign reform legislation passed by the Congress. I have great respect for his judgement and this was an important consideration in making my decision to support this legislation.

The Bipartisan Campaign Finance Reform Bill is not perfect legislation, but I believe it may be the best the Congress is able to produce. I approached both McCain-Feingold and now the Bipartisan Campaign Finance Reform Bill with an open mind and feel it is in the best interests of the nation to implement achievable reform legislation rather than hold out for perfect—and probably unattainable—reform legislation.

During each of the last two Congresses I introduced my own campaign finance reform bills—"The Constitutional and Effective Reform of Campaigns Act," or "CERCA." My proposals have been good faith efforts to strike middle ground in this important debate and were offered as alternatives to the bills that have been debated before the full Senate in the past. The principal points in my bills were enhanced disclosure, increased hard dollar contribution limits, a cap on soft money and paycheck protection.

As chairman of the Rules Committee during the 105th Congress, I chaired twelve or more hearings on campaign reform including the funding of campaigns. My bill was a result of these 2 years of hearings, discussions with numerous experts and colleagues, and the result of over 2 decades of participating in campaigns and campaign finance debates.

My bill capped soft money thereby addressing the public's legitimate concern over the propriety of large soft

money donations while allowing the political parties sufficient funds to maintain their headquarters and conduct their grassroots effort.

The Bipartisan Campaign Finance Reform Bill bans all soft money. And while I would have preferred merely to cap soft money as we already cap hard money, a total ban is the only option currently on the table.

In addition to the issue of soft money, there is the issue of raising the hard money caps. Candidates for public office are forced to spend too much time fundraising at the expense of their legislative duties.

The current individual contribution limit of \$1,000 has not been raised, or even indexed for inflation for over 20 years. This situation requires candidates to spend more and more time seeking more and more donors.

The Bipartisan Campaign Finance Reform Bill increases the individual contribution limits to \$2,000 and indexes that limit for inflation. My campaign finance legislation contained a similar provision which ensured that a greater percentage of political contributions would be fully reported and available for all to see.

It is my firm belief that the Congress has a responsibility, in accord with the constitution, to balance the rights of those who care to participate in the political process with the desire to improve accountability and responsibility within the campaign system.

Precisely because of my concern that previous campaign finance reform proposals did not adequately respect the First Amendment Freedom of Speech, I was compelled to write my own campaign reform proposals that focused on disclosure and accountability.

Clearly, today's legislation faces constitutional challenge, however, those decisions will ultimately have to be resolved by the judicial branch of Government.

NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Resumed

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

Pending:

Daschle/Bingaman further modified amendment No. 2917, in the nature of a substitute.

Feinstein modified amendment No. 2989 (to amendment No. 2917), to provide regulatory oversight over energy trading markets and metals trading markets.

Kerry/McCain amendment No. 2999 (to amendment No. 2917), to provide for increased average fuel economy standards for passenger automobiles and light trucks.

Dayton/Grassley amendment No. 3008 (to amendment No. 2917), to require that Federal agencies use ethanol-blended gasoline and